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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/841,149	04/23/2001	Ranjit Sahota	004572.P002	6058
7590 03/21/2005			EXAMINER	
Sang Hui Michael Kim BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP 12400 Wilshire Boulevard, Seventh Floor Los Angeles, CA 90025-1026			SRIVASTAVA, VIVEK	
			ART UNIT	PAPER NUMBER
			2611	

DATE MAILED: 03/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/841,149

Applicant(s)

SAHOTA, RANJIT

Examiner

Vivek Srivastava

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1 – 5, 8 – 12, 15 – 18, 20 – 22 and 24 – 27 are rejected under 35 U.S.C. 102(e) as being anticipated by Kikinis (US 5,929,849).

Regarding claims 1, 8, 15, 20, 24 and 27, Kikinis discloses a method, system and machine-readable medium providing instructions for automatically integrating interactive content with television broadcast content. Kikinis discloses a settop which receives both television programming and URL's embedded therein for simultaneous display of the URL with television programming providing a user with interactive capabilities (see col 3 lines 10 – 24). Providing URL's enables a user to retrieve additional information i.e. a webpage related to the television programming being viewed (see col 8 lines 1 – 38). In particular, Kikinis discloses an interactive system in which a viewer watches a BMW advertisement or 'television programming' (see col 7 lines 47 – 56) in which a BMW emblem is included indicating and providing interactive content. Once the user selects the emblem, the BMW webpage is downloaded (see col

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8 lines 5 – 10) and displayed within a window together with the televised commercial (see col lines 1 – 38). It is noted that since the interactive window is displayed concurrently with the televised commercial, Kikinis discloses the claimed 'automatically integrating the interactive content with the video data stream'. It is further noted that the interactive content and video stream is transmitted from settop box 11 to television receiver 51 (see col fig 1, col 5 lines 28 – 33 and col 6 lines 23 – 32).

Regarding claims 2, 9, 18 and 22, as discussed above, Kikinis discloses the interactive content includes internet advertising content (col 9 lines 61 – 66, col 7 line 48 – col 8 line 38) and TV commercial content col 10 lines 24 – 29, col 7 line 48 – col 8 line 38).

Regarding claims 3, 10 and 25, Kikinis discloses the BMW emblem and webpage is provided with the BMW advertisement and is thus linked with the TV broadcast content (see fig 2C and col 7 line 48 – col 8 line 38, col 10 lines 25 - 29).

Regarding claims 4 and 26, Kikinis discloses that the user can interact with the interactive content (see col 8 lines 1 – 38, fig 2C).

Regarding claims 5 and 12, as discussed above, Kikinis discloses displaying the interactive content with the TV broadcast commercial and thus discloses the claimed 'automatically integrating the interactive content with the TV broadcast content without modifying the interactive content and the TV broadcast content'.

Claim 11 is met by the discussions above.

Regarding claim 16, as discussed above, Kikinis discloses displaying the interactive content and the video stream. Kikinis further discloses launching the interactive services via the interactive content (see col 8 lines 1 – 37).

Regarding claims 17 and 21, Kikinis discloses a settop box (see col 5 lines 27 – 33).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6, 7, 13, 14, 19 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kikinis (US 5,929,849).

Regarding claims 6 and 13, Kikinis fails to disclose wherein the interactive content includes an advertising banner.

Official Notice is taken that it is well known to provide an advertising banner concurrently with a main program to provide a user with additional information while a user watches a program. For example, in the television art, it is well known to provide a user with an advertising banner on the lower part of the television screen enabling a user to view additional information while not obscuring the main program by placing the

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banner on the lower part of the screen. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Kikinis to include the claimed limitation to enable a user to view additional information while not obscuring the main video program.

Regarding claims 7, 14, 19 and 23 Kikinis fails to disclose the claimed targeting specific users with the integrated content, customizing content for a specific market, group, or geographic region.

Official Notice is taken that customizing or targeting interactive content for specific users or to a geographic region is well known to provide interactive content more pleasurable to users. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Kikinis to include the claimed limitation to provide users with pleasurable interactive content.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Broadwin et al (6,275,989) – Interactive web-like television system

Scott et al (6,338,094) – Playing a video file in response to selecting a web link

Levitan (6,698,023) – Internet access via one-way television channels

Collins-Rector et al (6,188,398) – Targeted advertising using web pages


Swix et al (6,718,551) – System for providing targeted advertising

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vivek Srivastava whose telephone number is (703) 305-4038. The examiner can normally be reached on Monday – Friday from 9 am to 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on (703) 305-4755. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Vs
3/17/05



VIVEK SRIVASTAVA
PRIMARY EXAMINER